The Case and Condition of R. Titchbourn

Late Alderman, and now Priſoner in the Tower of LONDON.

Preſented to the Conſideration and Compaſſion of his Fellow Citizens.

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THE CONDITION OF *ROBERT TITCHBOURN.*

Late Alderman, *&c.*

Here is a difference between bearing and enduring of Misery: The heart of a man will maintain it self against the sudden violent effects of Fortune, but who can hold out against endlesse Calamities? where nothing is left free to a man but his Thoughts, whose dreadful results present nothing but Death and Horrour, injured Humanity it self could not choose but relent. Nevertheleſſe to make any Apologies of the crime, or to excuſe or extenuate that Guilt under which he ſuffers, would be ſo far from compaſſionating of him, that it would add new weight to that burden, which his long contrition and exerciſe of Repentance, may in ſome meaſure have aleviated. On the other ſide to aggravate the Flagitiouſneſſe of that fact,

and insult upon the miseries which he undergoes, is no *English*, but some salvage *Barbarisme*, if we shall impartially consider him throughout and in all his stations, an accompt whereof you shall see in this ensuing Paper.

He was born of an honest and gentile Parentage in this City, a Linnen Draper, anciently descended from a worshipful Family, well esteemed and honoured, no picque, blemish, or stain upon them, his Growth and Education advancing him alike to be soon a man, which put him very early into action. It was then the untimely fate of the *London* youths generally to arm themselves in defence of the pretended Reformation, so Epidemical was that hot feavour of their bloods, that scarce a House was left untainted —— *Dulce Bellum inexpertis.* —— Amongst the rest the aptnesse and prochivity of this person to the War was soon taken notice of, and accordingly a Command conferred on him of Captain over a Foot Company in the Trained Bands. This he discharged abroad with valour and discretion, and at home, with Courtesie, his Enemies bearing him witnesse.

During the Warre he ascended the severall steps of Military Honours in order, made Collonel of a Regiment, and for a Time Lieutenant of the *Tower*, not taxed by them whom he served with any baseneſse or deficiency.

The Objection is not worth the answering, that he took up Arms against the King. His Grace and Mercy

Mercy to others as deeply engaged against him; (save in that matter, with which we meddle not) having refelled and confuted that Charge: and it might be well added for a plea for mercy, what the most learned and Right Honourable Lord Chancellour said to the Parliament in pressing the Act of Oblivion, that there was a general Malignant Influence of the Planets, which of late years had infected the *English* Air. Considered therefore in this Case as a Fellow Citizen, a Gentleman, and a person that behaved himself with Gallantry, -- *Et Cæsar in hoste probat.* -- Commiseration may well take up the room of passion, and ungoverned and blind revenge.

What he did afterwards in processe of time, and in pursuance of those Commands to which he had ingaged himself by a heedlesse zeal and blood not yet cooled from the boyling fury of the War, and in an unexperienced youth, misguided by the fallacious shews of Honour and Greatnesse, by those who had the Power and Sword in their hands, he hath the sufficient regret thereof.

Ambition is a Vice, most commonly a danger into which men from the brink of their desire, once out of the bounds of their duty, are frequently precipitated. And therefore the ordinary fate of aspiring men, and the constant practises of it used in all Times and Governments, cannot but take off the Envy of that particular; though 'tis not denyed, but that such Vain glory Hood-wink'd him into the destructive businesse against the King;

King; yet his most humble Submission and Confession of it at his Tryal, referring it in part to his want of age and Experience, cannot but merit a favourable and charitable construction at the hands of all then, whose minds (before stirred and provoked) are now laid by the calm and serenity of His Majesties Government.

That fatal Businesse of our late Soveraign, is a String not to be touched upon; no sooner you strike upon it, but like sympathetical Musick, blood must follow blood. Nothing therefore can be said to him here as to impunity, further then Christianly to wish, that if it were possible and expedient, the justice of God and the Kingdom, might be satisfied, and that Guilt expiated, without the severest inflictions of the Law upon him, as to Life.

We have hitherto seen him at the worst, let us consider him next as a Magistrate, and that more eminent in the exercise of the Civil power, then formerly in the Military.

He was made Sheriff in the year 1650. advanced before his Time to that Dignity, to promote the Interest of the then Free State, into which he had waded so deep before. No marvel therefore if he so stickled for it, and by so doing incurred the general hatred of most men; and if we do impartially consider his actions then as one ingaged in a faction to which he had always adhered, and was embarqued in the same danger and hazzards, it will not much move any mans Stomach against him.

During

During his Session and Continuance in the Court of Aldermen, betwixt his Shrievalty and Maioralty, he performed the office of a good Citizen, to Common justice. Many can bear him witnesse of much uprightnesse and integrity manifested by him in private businesses, the decision whereof being referred to Committees of Aldermen (of which very seldome but he was one through the sense that Court had of his abilities) he always justly and impartially accommodated; and Envy her self cannot speak ill of him, but Gratitude ——— would speak more.

We will take a full view of him, in this his next Dignity, the Supreme Magistracy of the City, as Lord Maior of *London*, and we use to say *Magistratus indicat virum*, but here *vir indicat Magistratum*, very few persons that arrived at this Honour, after a full ripenesse of years, and digestion of a long observation of customs and manners, governed the City better, nor revived more wholsom Laws, and reduced things methodically to their first state; The severest punisher of Fraud and Injustice, a most rigid exacter of all dues and rights belonging to the City, keeping a constant Inquisition of all the abuses and trespasses committed or tampered on its priviledges, neither favour or affection (as we use to say) making him to connive at such unlawful practises.

This indeed were a pleasant Subject to run on with, however some particular men would put in their Spokes, and tell us of some narrow concerns

of

of their own, wherein they complain of injury and injustice done them; but these men consider not that the strict impartial execution of justice cannot be without some rigour, and justice being blind, cannot see where it lights. If there had been any fore-thoughted malice, any grudges or ill will, it were justly imputable; but on the contrary, good for evil hath in some businesses been rendred by him, and that also when he had power in his hands to do it very effectually.

To give an instance of this, though somewhat before he came to this Magistracy. 'Twas a generous act of his in saving the Life of those Two young men, condemned by the Powers usurping, for the Tumult in *London* 1647. It is no kind of lessening that Courtesie, to say they were Traytors that sentenced them, and that he had been accessory to their Mu ther if they had dyed, he being then Sheriff; for then the Stream went strong another way, and no suspicion or fear in them of his Majesties most happy Restitution, they thinking and taking themselves to be fast rooted in the Government.

Many more there were of this nature, and it is without question, that his private benefits have exceeded his private injuries, though *venit ad amissas nullus amicus opes*, and wrongs follow the Doer of them to the Grave: But if you weigh his publick benefactions, in his administration of his Mayoralty against those petty injuries he did, their Lightnesse as well as Trivialnesse, will be so inconside-

inconsiderable in the Ballance, that they will pass for nothing. Having therefore passed this honourable place with commendation and general applause, it were but just he should receive some advantage from it, in recompence of that honour and advantage he did it. Let plundering *Isaac Pennington* expiate all the Contumelies done the King and his Government in the last 18 Maioralties; and let *Andrews* estate make up *Isaac*'s broken Fortunes to the *Exchequer*. The Authority once vested in a good Magistrate (though perhaps an ill man) hath a kind of Sacredness and Reverence in it, and the Ancients did use to offer up their *Insignia* of Honour at the Temples of the Gods, at the expiration of their annual offices as Sacred to posterity; 'tis true, this *crimen laesæ Majestatis*, hath profaned all that respect due to him, but who knows, if by the unanimous Intercession, and Supplication of this City, whether *gratia placatæ Majestatis*, the King and his great Councel may not be pleased to pardon that great offence.

Let him at least not fall helpless or friendless, as one that had not one good Action to speak for him. It will be some Sweetning to that bitter Cup to find some pity shewed him, though peradventure it should not avail him. The justice of the Law hath many times been lenified to the Sufferers of it, by the Humanity and Compassion of the people. 'Tis a double death to dye unpitied; 'tis an ænigmatical sad Fate to be buryed in Mar-

ble Hearts, and yet have no Sepulchre. It adds all the horrour of death, to see as many Tormentors as Spectators, and is a desperate prospect of the woful estate after this Life.

To move you the rather to this Compassion, (though no doubt you cannot be without some affections to him) view him in the last revolution, and you will find him no stickler against our present happinesse. He that was not against it, was clearly for it: Even in the amuses of some of those men, our Deliverance came like a Dream; but his Eyes were wide open, and he plainly foresaw His Majesties Return, and stood still, till the wonders of his Restitution were past. He ingaged in no new Designs, counsels or practises, to retard or withstand that blessed work; but with all Submission and patience, expected the Results of Providence. There were few of that Temper or Moderation, in that critical juncture of Time, who yet, were in lesse danger then himself; which afterwards amounted to a confidence of surrendring himself according to the Proclamation, and putting himself within the danger of the Law.

What he did as a Member of the late Committee of Safety, was rather of necessity then choice; neither then was the Kings Interest so discernible. Questionlesse had he had that State insight, to which he was neither capacitated nor experienced, he would have taken hold on occasions Foresop, and redeemed himself by some signal seasonable Demonstration of Loyalty, as well as others in the

the same predicament. Now he is *foris factus*, and that opportunity of retriving himself, quite lost, and hath a sad Aftergame to play, and the Tables almost shut up, without a speedy intervention and interposition betwixt his sentence and approaching Death.

And in this last view of him we shall see him well worthy of our greatest Commiseration. How he hath behaved himself as to his Imprisonment, (in that place where he once commanded) with all Humility and fair Carriage; the Noble Sir *John Robinson*, and his Warders and Officers, will give him a sufficient and good Character. At that late strange and rebellious Insurrection in the City by the *Fifth-Monarchists*, he professed an utter detestation thereof, and not so much for the Butchery and Murder committed, as that the peace of the Kingdome was thereby endangered, by such a riotous wicked attempt: the danger and scandal brought by it on him and his Fellow Sufferers, to the acceleration of their ends he weighed not so much, being resolved either living or dying to pray for the prosperity of the Kings Government.

He hath continued ever since his first restraint, a most strict austere and mortified life, without any grudgings or repinings at these his sad dispensations, bearing with an even mind the losse of a considerable estate, besides sundry discomforts in his nere relations grieving excessively at his Condition; and a deeper wound can hardly be given to a man in misery; so falls it out in the Extremes

of Sorrow, that even our friends unvoluntarily ſhall contribute to the load of it. And if this condition be not matter of mercy what diſtreſſe ſhall find it?

Report hath taken up many things falſely againſt this perſon as of his unſupportable Pride, Covetouſneſſe, &c. Raiſed from his Pageantry Lordſhip conferred on him by *Olivir*, and his ſeveral rich places and offices, he went through all along the Uſurpation; but this reducement of him hath made it appear to the Contrary, his wealth not anſwering the ſum required to a Lord Maiors Eſtate, and his conſtant affability as well as his preſent humility convincing all men of his not being arrogant.

Enough might be ſaid of this in his praiſe, and queſtionleſs be preſſed more home and advantagiouſly by others who owe him greater kindneſſes if ſuch can be in this his Condition, in his behalf. The Author hereof hath only endevoured to diſcharge, as far as his Mite would reach, an Obligation to this afflicted: being willing if he were able (and if it would be taken) to ranſome him with Gold. However you have his Devoir, which he humbly ſubmits to Candid and Chriſtian Conſideration.

Quem pœnitet peccaſſe Pene eſt innocens.

FINIS.

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